



ACKNOWLEDGEMENT OF NOTIFICATION
OF HAZARDOUS WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

RCRA RECORDS CENTER
FACILITY DUFFY BROS
I.D. NO. MAD019685577
FILE LOC. _____
OTHER _____

INSTALLATION ADDRESS

• MAD019685577

WAVERLY OAKS PARK / *Duffy Bros Const*
411 WAVERLY OAKS RD
WALTHAM

MA 02154

411 WAVERLY OAKS RD
WALTHAM

MA 02154

NOTICE OF EPI ASSESSMENT

EPA ID MA0019685577 Name Duffy Bros Const / Waverly Oaks Park GIS Number

This file has been reviewed by CDM Federal Programs Corporation under EPA Contract No. 68-W9-0002, Work Assignment No. R01029. The purpose of this review was to gather information pertaining to the Region I Environmental Priorities Initiative (EPI) and specifically, the GIS-based RCRA Ranking Model and RCRA Facility Data System for the Integrated Environmental Management (IEM) effort.

The following documents have been reviewed: (1)

	DATE	COMMENT
<u> </u> RCRA Facility Assessment	<u> </u>	<u> </u>
<u> </u> Superfund Preliminary Assessment	<u> </u>	<u> </u>
<u> </u> Site Inspection	<u> </u>	<u> </u>
<u> </u> Other Site Inspection	<u> </u>	<u> </u>
<u> </u> Groundwater Assessment Rpts	<u> </u>	<u> </u>
<u> </u> 3007 "SWMU" Letter Response	<u> </u>	<u> </u>
<u> </u> Part A Form	<u> </u>	<u> </u>
<u> </u> Part B Form	<u> </u>	<u> </u>
<u> x </u> Notification Form	<u> 3/6/85 </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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Information regarding this facility is being used in the IEM database. For additional information regarding the GIS Model or the Facility Data System and the status of data available regarding this facility, please contact:

Charles Franks
U.S. EPA Region I
JFK Federal Building, HER-CAN3
Boston, MA 02203

File Reviewed By Mary M. McGuire Date 10/20/92



GOLDBERG • ZOINO & ASSOCIATES, INC.
GEOTECHNICAL-GEOHYDROLOGICAL CONSULTANTS

MAR 13 1985

DONALD T. GOLDBERG
WILLIAM S. ZOINO
JOSEPH D. GUERTIN, JR.
JOHN E. AYRES

WILLIAM R. BELOFF
NICHOLAS A. CAMPAGNA, JR.
MATHEW A. DIPILATO
LAWRENCE FELDMAN
RICHARD F. FLANAGAN
ROBERT A. HELLER
MICHAEL A. POWERS
JAMES H. REYNOLDS
PAUL M. SANBORN
RICHARD M. SIMON
STEVEN J. TRETTEL

CONSULTANTS
WALTER E. JAWORSKI, JR.
STANLEY M. BEMBEN

February 26, 1985
File No. Z-3793-C

Ms. Mary Sanderson
Environmental Protection Agency, Region 1
State Waste Program
JFK Federal Building
Boston, Massachusetts 02203

Re: Notification of Hazardous
Waste Activity
Waverly Oaks Park

Dear Ms. Sanderson:

Pursuant to our recent phone conversation, Goldberg-Zoino & Associates, Inc., (GZA) is submitting the attached EPA Form 8700-12 on behalf of Duffy Associates, Inc. for the above-referenced site in Waltham, Massachusetts. This is the second submittal to your office for an EPA identification number, the first being in late May 1984. The site has been assigned a temporary identification code which will expire by mid-March, and we would therefore appreciate your expediting of this process for a permanent number.

Please contact the undersigned if you have any questions in this regard.

Sincerely,

GOLDBERG-ZOINO & ASSOCIATES, INC.

Frank W. Clark
Senior Project Manager

FWC:jg

U.S. ENVIRONMENTAL PROTECTION AGENCY
NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

PLEASE PLACE LABEL IN THIS SPACE

Call Mary Dupe

INSTRUCTIONS: If you received a preprint label, affix it in the space at left. If any of information on the label is incorrect, draw a through it and supply the correct information in the appropriate section below. If the label is complete and correct, leave items I, II, and below blank. If you did not receive a preprint label, complete all items. "Installation" means single site where hazardous waste is generated, treated, stored and/or disposed of, or a transporter's principal place of business. Please refer to the INSTRUCTIONS FOR FILING NOTIFICATION before completing this form. Information requested herein is required by (Section 3010 of the Resource Conservation Recovery Act).

FOR OFFICIAL USE ONLY

COMMENTS

INSTALLATION'S EPA I.D. NUMBER: **MA 1019685577** APPROVED: **850313** DATE RECEIVED (yr., mo., & day)

Waverly Oaks park

I. NAME OF INSTALLATION

DUFFY BROS. CONSTRUCTION INC.

II. INSTALLATION MAILING ADDRESS

STREET OR P.O. BOX

411 WAVERLY OAKS RD.

CITY OR TOWN

WALTHAM

ST.

MA 02154*Confidential Notif*

III. LOCATION OF INSTALLATION

STREET OR ROUTE NUMBER

411 WAVERLY OAKS RD.

CITY OR TOWN

WALTHAM

ST.

MA 02154*Middlesex 017*

IV. INSTALLATION CONTACT

NAME AND TITLE (last, first, & job title)

2 ROBERT DUFFY

PHONE NO. (area code & no.)

617-647-5775

V. OWNERSHIP

A. NAME OF INSTALLATION'S LEGAL OWNER

8 DUFFY BROS. CONSTRUCTION INC.

B. TYPE OF OWNERSHIP (enter the appropriate letter into box)

F - FEDERAL
M - NON-FEDERAL**19.**

VI. TYPE OF HAZARDOUS WASTE ACTIVITY (enter "X" in the appropriate box(es))

☒ A. GENERATION☐ B. TRANSPORTATION (complete item VII)☐ C. TREAT/STORE/DISPOSE☐ D. UNDERGROUND INJECTION

VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es))

☐ A. AIR☐ B. RAIL☐ C. HIGHWAY☐ D. WATER☐ E. OTHER (specify):

VIII. FIRST OR SUBSEQUENT NOTIFICATION

Mark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA I.D. Number in the space provided below.

large quantity

C. INSTALLATION'S EPA I.D.

☒ A. FIRST NOTIFICATION☐ B. SUBSEQUENT NOTIFICATION (complete item C)

IX. DESCRIPTION OF HAZARDOUS WASTES

IX. DESCRIPTION OF HAZARDOUS WASTES (continued from front)

A. HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from non-specific sources your installation handles. Use additional sheets if necessary.

1 MO01	2 MO02	3	4	5	6
7	8	9	10	11	12

B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

C. COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES. Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

D. LISTED INFECTIOUS WASTES. Enter the four-digit number from 40 CFR Part 261.34 for each listed hazardous waste from hospitals, veterinary hospitals, medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54
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E. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24.)

☐ 1. IGNITABLE
(D001)

☐ 2. CORROSIVE
(D002)

☐ 3. REACTIVE
(D003)

☐ 4. TOXIC
(D000)

X. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE 	NAME & OFFICIAL TITLE (type or print) PRESIDENT DUFFY PROS. CONSTRUCTION, INC.	DATE SIGNED 3/6/85
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

RCRA RECORDS CENTER
FACILITY *Duffy Bros Const Waverly Oaks*

I.D. NO. *MAD09685577*

FILE LOC. *R-1C*

OTHER *COM*

February 18, 1999

John D. Beling
Moehrke, Mackie & Shea, PC
283 Dartmouth Street
Boston, MA 02116

Re: 411 Waverly Oaks Road & 30 Wilson Road, Waltham, Massachusetts

Dear Mr. Beling:

This letter is written in response to your letter of May 4, 1998 to Suzanne Parent and subsequent correspondence concerning the above-referenced properties owned by Duffy Associates Limited Partnership and Duffy Brothers Construction Co., Inc. In this correspondence, you have disclosed to EPA certain audit findings relating to violations or potential violations of particular environmental requirements and have requested that EPA apply its Audit Policy, formally titled "Final Policy Statement on Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations," 60 Federal Register 66706 (December 22, 1995). The Audit Policy states that EPA will not pursue gravity-based penalties for violations that are discovered through an environmental audit or due diligence program, voluntarily disclosed to EPA and promptly corrected when certain criteria are met.

Based on the information contained in your correspondence and conditioned on the truthfulness and accuracy of the disclosure, EPA does not intend to pursue a penalty action for the specific violations described in your correspondence. In the case of the Clean Water Act violation which was disclosed, we do not believe that this violation warrants a formal enforcement response given the circumstances of that violation. Thus, EPA has not made a formal determination of whether the criteria of the Audit Policy are met with respect to this violation.

In the case of the Resource Conservation and Recovery Act violations which were disclosed, we have determined that EPA does not have jurisdiction over the subject matter of those violations. Accordingly, a determination of whether the criteria of the Audit Policy are met can not be made with respect to those violations.

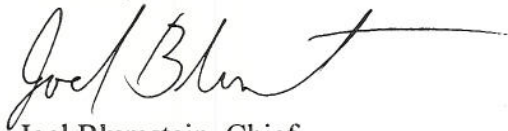
In the case of the Toxic Substances Control Act (TSCA), we do not read your correspondence as disclosing a particular violation. However, your May 4, 1998 letter raises the question whether response actions being conducted at the site are subject to TSCA. The cleanup of polychlorinated biphenyls (PCBs) at concentrations of 50 parts per million (ppm) or greater is subject to the TSCA PCB regulations, 40 C.F.R. Part 761. PCBs at concentrations less than 50

ppm may be subject to TSCA depending on the source and date of the spill/release. With the promulgation of the amended PCB rules, 63 FR 35436 (June 29, 1998), notification and approval may be required depending on the location of the spill and the type of cleanup implemented. To determine the specific TSCA PCB requirements for this site, please contact Kimberly Tisa, PCB Coordinator, at (617)918-1527.

With regard to the issue raised in your letter of July 2, 1998 concerning the shipment of PCB contaminated waste within 30 days, the PCB regulations require that the waste in question may be stored for no more than 30 days, unless: 1) the waste is stored in a storage area in compliance with 40 C.F.R. §761.65(b); and 2) the facility has notified in accordance with 40 C.F.R. §761.205 of its PCB waste activity. Even if the requirements for extended storage are met, the waste still must be disposed of within one year from the date it was placed in storage, pursuant to 40 C.F.R. §761.65(a).

EPA appreciates the willingness of Duffy Bros. to self-police, voluntarily disclose and correct violations quickly without government intervention. If you have any questions regarding this letter, please contact me at (617)918-1771.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joel Blumstein", with a long horizontal flourish extending to the right.

Joel Blumstein, Chief
Regulatory Legal Office

cc: ✓ Ken Rota
Marianne Milette
Don Grant